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NOTES OF CASES.

ROLLING STOCK OF FOREIGN RAILROAD NOT SUBJECT TO ATTACHMENT.—The Circuit Court of the city of Richmond (Judge Scott presiding) recently decided in *Chalkley v. R., F. & P. R. R.* that the rolling stock of a foreign railroad was not subject to attachment in this State. Counsel for the railroad contended that the attachment should be dismissed, because to allow attachment of rolling stock (1) would interfere with the performance of the contract for the use of the rolling stock between the owners of the same and the resident company, on whose tracks it was attached; (2) it is in violation of public policy; (3) and an interference with interstate commerce. Among the cases relied on were *Wall v. N. & W. R. R. Company*, 44 S. E. 294; *Conway v. Q. O. & R. C. R. R. Company*, 99 N. W. 365.

TAXES—STATE TAXATION OF PROPERTY IN THE HANDS OF TRUSTEE IN BANKRUPTCY.—Property in the hands of a trustee in bankruptcy is not exempted from liability to State taxation by the bankruptcy act of July 1, 1898 (30 Stat. at L. 548, chap. 541, U. S. Comp. Stat. 1901, p. 3418). *Swarts, Trustee, v. Hammer*, 24 Sup. Ct. 695.

CONSTITUTIONAL LAW—VALIDITY OF STATE LOCAL OPTION LAW—EQUAL PROTECTION OF THE LAWS.—A State local option law does not deny a retail liquor dealer the equal protection of the laws because it excepts from its operation druggists, manufacturers, persons who give away liquors in their private dwellings, and railway corporations dispensing liquors in dining and buffet cars under State license.

State of Ohio v. Dollison, 24 Sup. Ct. 703. See *Savages' Case*, 84 Va. 619, 5 S. E. 565, as to constitutionality of local option laws.

CONTRACTS—IMPAIRMENT OF OBLIGATION—CHANGE OF LAW RESPECTING REDEMPTION FROM FORECLOSURE SALE.—No contract right of an independent purchaser at a foreclosure sale, who has no other connection with the mortgage contract than that arising from his purchase for a sum sufficient to pay the mortgage debt, is impaired by changes in the law subsequent to the execution of the mortgage, but prior to the sale, with reference to the time of redemption and the rate of interest payable in order to redeem.

Hooker v. Burr et als., 24 Sup. Ct. 706.

MERCHANDISE—SALE OF STOCK IN BULK.—A law of Utah passed in 1901 (substantially the same as our Act—Acts 1902-'3-'4, p. 884), provided that a sale of any portion of a stock of merchandise out of the ordinary course of trade, or a sale of an entire stock in bulk, is fraudulent and void

as against creditors of the seller unless an inventory as prescribed is made five days before the sale, and all the creditors of the seller of which the purchaser has or may obtain knowledge by reasonable diligence shall have been notified thereof; and another section makes the violation of the previous section a misdemeanor. Under these facts the Supreme Court of the State decides in *Block v. Schwartz*, 76 Pac. 22, that such Act was unconstitutional, as depriving a merchant owing debts of his liberty to contract, amounting to a deprivation of property without due process of law. A very satisfactory review of the principles involved is made by the court. The general principles involved are, of course, well known, but their application in this case seems an important one.

CONSTITUTIONAL LAW—EXCLUSION OF ALIEN ANARCHISTS.—None of the guaranties of U. S. Const. 1st Amend. respecting freedom to worship, speak, publish or petition, are infringed by the provisions of the immigration Act of March 3, 1903, for the exclusion and deportation of alien anarchists, whether such statute is construed to apply to persons whose opposition to all organized government is professed as a political ideal, or simply to include those who advocate the forcible overthrow of government or assassination of officials.

United States v. Williams, 24 Sup. Ct. 719.

VETERANS—PREFERENCE.—In view of the provisions in our new Constitution (sections 19 and 22) extending suffrage privileges to veterans and sons of veterans, and exempting veterans from paying poll-tax as a prerequisite to vote, the following decision will probably be of interest:

In *Goodrich v. Mitchell*, 75 Pac. 1034, the Supreme Court of Kansas decides that a law which provides that those who have served in the army and navy of the United States in the War of the Rebellion, and have been honorably discharged therefrom, shall be preferred for appointment to office in every public department and upon all public works of the State and of the cities and towns thereof is constitutional. With this case compare *State v. Garbroski*, 111 Iowa 496, which on its facts is against the validity of preference of veterans.

SERVICE OF NOTICE OR PROCESS—BY PRIVATE PARTIES—SEC. 3207 OF THE CODE.—In view of the growing custom of serving processes and notices of motion for judgment by private parties, the decision of the Circuit Court of the city of Richmond (Judge Wellford presiding) in the recent case of *Justis v. Pleasanton* may be of interest to the profession. The defendant testified that the paper (the process) was handed to him by the private party, but that he refused to receive the same, and that it was then placed on his shoulder, but that he brushed it off, and did not look at it, and never knew what it contained. The learned judge held that such service by the sheriff, sergeant or constable would have been sufficient, but that by a private party it was insufficient. If this ruling is correct, then it would